

# Exhibit 5

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PENNSYLVANIA STATE CONFERENCE  
OF THE NAACP, *et al.*,

*Plaintiffs,*

v.

LEIGH M. CHAPMAN, in her official  
capacity as Acting Secretary of the  
Commonwealth, *et al.*,

*Defendants.*

Case No. 1:22-cv-339

**DEFENDANT PHILADELPHIA  
COUNTY BOARD OF  
ELECTIONS' RESPONSES AND  
OBJECTIONS TO PLAINTIFFS'  
FIRST SET OF  
INTERROGATORIES TO  
PHILADELPHIA COUNTY (NOS.  
1–22)**

Pursuant to Fed. R. Civ. P. 26 and 33 and the applicable Local Rules of the United States District Court for the Western District of Pennsylvania, Defendant Philadelphia County Board of Elections (“Philadelphia County”) sets forth its responses and objections (the “Responses”) to Plaintiffs’ First Set of Interrogatories (Nos. 1–22) (the “Requests”) as follows:

**PRELIMINARY STATEMENT**

These Responses represent Philadelphia County’s good faith and reasonable effort to respond to the Requests based on information and documents available at this time. Philadelphia County is conducting a reasonable investigation into the existence and location of potentially responsive information. Philadelphia County’s investigation to date informs each of these Responses and Objections. Philadelphia County’s investigation of this matter is ongoing. Philadelphia County thus reserves the right to amend, supplement, correct, or clarify the responses in accordance with

Notwithstanding this objection, on November 5, 2022, Philadelphia County published online a list of mail-in and absentee voters whose ballot envelopes were administratively determined to lack a handwritten signature on the outer mailing envelope or who wrote a date on the outer mailing envelope that may be considered to be potentially incorrect under the Pennsylvania Supreme Court’s November 1<sup>st</sup> and 5<sup>th</sup>, 2022 orders.

**INTERROGATORY NO. 12:**

Did You provide mail ballot voters described in Interrogatory 11 with an opportunity to correct or cure the identified issues with dating the outer return envelope? If so, identify and describe the cure methods offered and how you instructed notified voters to cure any missing or incorrect date issues.

**RESPONSE TO INTERROGATORY NO. 12:**

Philadelphia County objects to this Request as irrelevant and not proportionate to the needs of this case.

Notwithstanding this objection, when publishing the list referred to in Response to Interrogatory 11, Philadelphia County encouraged the listed voters to request a replacement ballot at the County Board of Elections office in City Hall or, if they were unable to request a replacement ballot, to cast a provisional ballot.

**INTERROGATORY NO. 13:**

If you provided notice and an opportunity to cure as described in Interrogatories 11 and 12, how many mail ballot voters cured their envelope date issue?

**RESPONSE TO INTERROGATORY NO. 13:**

Philadelphia County objects to this Request as irrelevant and not proportionate to the needs of this case. Philadelphia County further objects to this